

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 549 OF 1991

Union Bank of India.

... Plaintiffs.

V/s.

M/s. Food Holdings (Bombay)
Pvt. Ltd. & Ors.

... Defendants.

Mr. C.D. Patel with Mr. N.S. Fadia for the Plaintiff.
None for the Defendants.

CORAM : DR. D.Y. CHANDRACHUD,J.

18TH JULY 2007.

P.C. :-

. The following issues are settled :-

(i) Whether the Plaintiffs prove
Plaintiffs are entitled to recover the amounts
mentioned in prayer clauses a, b and c of the
plaint together with further interest thereon ;

(ii) Whether the Plaintiffs prove that the
Defendants executed documents to secure their
outstandings in respect of Cash Credit
Hypothecation Account, Term Loan Account and

Overdraft against Hypothecation of Book Debts
Account as stated in paras 5 to 9 and 11 of the
plaint;

(iii) Whether the Plaintiffs prove that
Defendant Nos. 2 and 3 are Guarantors for the
facilities granted by the Plaintiffs to Defendant
No.1;

(iv) Whether Defendants No. 1 to 3 prove that
the Plaintiffs have not given due credit for a
sum of Rs.33,470.20 in respect of Term Loan
Account, Rs.18,857.10 in respect of Cash Credit
Account and Rs.14,340.25 in respect of Overdraft
Facility;

(v) What order and decree ?

2. The affidavit of documents and affidavit in lieu
of examination in chief shall be filed on or before 8th
August 2007. To be listed on board for recording of
evidence on 16th August 2007.
